

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

December 6-10, 2004

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
12-6	EX	75879167	Bluebonnet Nutrition Corp.	Quinn* Hohein Holtzman	2(d)	Refusal Affirmed		"POWER-ZYMES" [dietary supplements]	"ENZYME POWER" [nutritional supplements containing enzymes]	J. Dalier	No
12-6	EX	76463530	ITC DeltaCom Communications, Inc.	Seeherman Quinn* Holtzman	2(d)	Refusal Affirmed as to both cited registrations		"GRAPEVINE EVERYBODY'S TALKING." (and design) [local and long distance telephone services; and providing multiple user dial-up and dedicated access to the Internet]	2 cited registrations: "GRAPEVINE" and "GRAPEVINE" (and design) [both marks for pay telephone terminals]	Case	No
12-6	EX	76384323	Inner Vision Imaging, LLC	Seeherman Hohein* Chapman	2(d)	Refusal Affirmed		"MICROLAPAROSCOPE" [surgical instruments, namely, laparoscopes]	"MICROLAP" [medical instruments, namely, endoscopes, laparoscopes, introducers, graspers, blunt probe instruments and couplers]	Estrada	No
12-7	EX	76210364	Prosodie S.A.	Simms Quinn* Drost	2(d)	Refusal Affirmed		"PROSODIE" [telecommunications services, namely, local and long distance transmission of voice and data by means of telephone transmissions, telephone voice messaging, data transmission, facsimile transmission and providing multiple-user access to a global computer information network]	"PROSODY" [a wide variety of computer telephony equipment; installation, maintenance and repair of computer telephony equipment, telecommunications equipment and computer hardware; computer-controlled telephone communications services; installation, maintenance and repair of computer software]	Micheli	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) *=Opinion Writer; (D)=Dissenting Panel Member

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
December 6-10, 2004 (continued)

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12-7	EX	76433945	Curriculum Associates, Inc.	Seeherman* Bottorff Bucher	2(e)(1)	Refusal Affirmed		"PALABRA LISTA" [printed educational materials for teaching Spanish vocabulary]		Goodsaid	No
12-8	EX	76450244	The North American Marketing Corp.	Hanak* Quinn Holtzman	2(e)(2)	Refusal Affirmed		"NEW ENGLAND FORGE" [wrought iron patio furniture, namely, chairs, tables, chaise lounges and plant stands]		Wahlberg	No
12-9	EX	76430511	Circle of Friends, LLC	Hairston* Rogers Drost	2(d)	Refusal Affirmed		"SPLISH SPLASH SWIMMERS" (in stylized lettering) [hair care preparations, namely, shampoo]	"SPLISH SPLASH" (and design) [body fragrances]	Mandir	No
12-10	EX	78156327	Thoroughbred Owners and Breeders Association, Inc.	Seeherman* Quinn Holtzman	2(e)(1)	Refusal Affirmed		"THOROUGHBRED CHAMPIONSHIP TOUR" [organizing and conducting thoroughbred horse racing events]		L. King	No

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